

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)	AWA Docket No.
)	
Charles Schreiner, Christie Schreiner,)	13-0335
Gus Schreiner, and Walter Schreiner,)	13-0336
d/b/a Y.O. Ranch)	13-0337
)	13-0338
Respondents.)	Complaint

There is reason to believe that the respondents named herein have willfully violated the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159), hereinafter referred to as the Act, and the regulations (9 C.F.R. §§ 1.1-4.11) issued pursuant to the Act, and, therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

A. Y.O. Ranch is a general partnership operated by Charles Schreiner, Christie Schreiner, Gus Schreiner, and Walter Schreiner, hereinafter referred to as respondents, whose mailing address is 924 Jefferson Street, Kerrville, Texas 78028.

B. The respondents, at all times material herein, were licensed and operating as a class B dealer, license number 74-B-0606, as defined in the Act and the regulations.

C. When the respondents became licensed and annually thereafter, they received a copy of the Act and the regulations and standards issued thereunder and agreed in writing to comply with them.

II

On October 1, 2009, respondents willfully violated the handling regulations by failing to handle a Barasingha deer as expeditiously and carefully as possible in a manner that did not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, and unnecessary discomfort, resulting in the death of an employee who was attacked by the deer and the death of the deer (9 C.F.R. § 2.131(b)(1)).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondents have in fact willfully violated the Act and the regulations issued under the Act, this complaint shall be served upon the respondents. The respondents shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. §§ 1.130-162.13). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

APHIS requests:

1. That unless the respondents fail to file an answer within the time allowed therefor, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and

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2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances, including an order:

(a) Requiring the respondents to cease and desist from violating the Act and the regulations and standards issued thereunder; and

(b) Assessing civil penalties against the respondents in accordance with section 19 of the Act (7 U.S.C. § 2149).

Done at Washington, D.C.

this 22nd day of August, 2013



Administrator
Animal and Plant Health Inspection Service

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